

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

JENNIFER L. MILLER, *et al.*,

Plaintiffs,

v.

MICHAEL J. ANDERSON, *et al.*,

Defendants,

and

FIRSTENERGY CORP.,

Nominal Defendant.

Judge John R. Adams

Case No. 5:20-CV-01743

Status Report (per ECF No. 160)

PLAINTIFFS' THIRTEENTH STATUS REPORT

Plaintiffs, including Intervenor-Plaintiffs who are also court-appointed Lead Plaintiffs in the parallel, substantively identical, derivative action pending in the United States District Court for the Southern District of Ohio, respectfully submit the following status report in accordance with the Court's November 9, 2021 Case Management Plan (ECF No. 160).

1. Discovery during the Reporting Period

None.

2. Settlement Discussions during the Reporting Period

None.

3. Motions Filed or Pending during the Reporting Period

On August 24, 2022, Plaintiffs joined the Individual Defendants and the Special Litigation Committee of Nominal Defendant FirstEnergy Corp. in a motion to dismiss this Action with prejudice in light of the August 23, 2022 Order issued by the Southern District of Ohio in

Employees Retirement System of the City of St. Louis, et al. v. Jones, et al., No. 2:20-cv-04813 (S.D. Ohio), granting final approval of the parties' settlement of FirstEnergy's claims in a parallel derivative action. *See id.*, ECF No. 195 (S.D. Ohio Aug. 23, 2022) (the "Final Approval Order") (filed in this Action at ECF No. 353-1). That motion remains pending.

On September 8, 2022, Plaintiffs filed an Opposition to Todd Augenbaum's Motion to Intervene, Appoint Lead Counsel and Lead Plaintiff. ECF No. 361. Mr. Augenbaum's motion remains pending.

4. Developments Giving Rise to a Request to Deviate from the Case Management Plan

Plaintiffs respectfully refer the Court to Plaintiffs' Status Report Nos. four (March 24, 2022 [ECF No. 297]), five (May 9, 2022 [ECF No. 313]), six (June 23, 2022 [ECF No. 325]), seven (August 8, 2022 [ECF No. 342]), eight (September 22, 2022 [ECF No. 373]), nine (November 7, 2022 [ECF No. 380]), ten (December 22, 2022 [ECF No. 393]), eleven (February 6, 2023 [ECF No. 404]), and twelve (March 23, 2023 [ECF No. 412]) regarding the settlement of FirstEnergy's claims concerning the events giving rise to this action.

Dated: May 8, 2023

Respectfully submitted,

/s/ John C. Camillus

John C. Camillus

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CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2023, I electronically filed the foregoing paper(s) with the Clerk of the Court using the ECF system which will send notification of such filing to all ECF participants.

/s/ John C. Camillus

John C. Camillus